

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty) (PCT Article 36 and Rule 70)



Applicant's or agent's file reference CFO18183WO	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. PCT/JP2004/008499	International filing date (day/month/year) 10.06.2004	Priority date (day/month/year) 11.06.2003
International Patent Classification (IPC) or national classification and IPC Int.Cl. <sup>7</sup> H04N1/32, H04N1/00, H04M11/00		
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1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <div style="margin-left: 20px;"> <p>a. <input type="checkbox"/> a total of _____ sheets, as follows:</p> <div style="margin-left: 20px;"> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> </div> <p>b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> </div>
4.	This report contains indications relating to the following items: <div style="margin-left: 20px;"> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p> </div>

Date of submission of the demand 08.04.2005	Date of completion of this report 05.07.2005
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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/008499

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the claims:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/008499

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	2-9, 11-18, 20-30	YES
	Claims	1, 10, 19	NO
Inventive step (IS)	Claims		YES
	Claims	1-30	NO
Industrial applicability (IA)	Claims	1-30	YES
	Claims		NO

**2. Citations and explanations(Rule 70.7)**

D1 JP 2002-101198 A (Matsushita Electric Co.) 2002.04.05, [0028]-[0044], Fig1, Fig4 & GB 2370719 A & US 2002-95516 A & DE 10147067 A  
D2 JP 2002-247130 A (NTT Co.) 2002.08.30, [0011]-[0014]  
D3 JP 2003-152890 A (Sun communications Co.) 2003.05.23, [0001]-[0042], Fig1  
D4 JP 2000-278473 A (Fujitsu Co.) 2000.10.06, [0029]-[0069], Fig1, Fig5, Fig7

The subject matter of claim 1 and 10 and 19 do not appear to be novel with respect to D1. Claim 1 and 10 and 19 relate to [IP address obtaining means for obtaining an IP address of the communication partner station from a predetermined server based on the telephone number of the communication partner station]. Such element appears to be known from D1 (see [0028] to [0044] and Fig1).

The subject matter of claim 2 and 11 and 20 do not involve an inventive step over D1 and D2 for the following reasons. Claim 2 and 11 and 20 relate to [the predetermined server is an SIP proxy server]. Such element appears to be known from D2 (see [0011] to [0014] ).

The subject matter of claim 3 and 12 and 21 do not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 3 and 12 and 21 relate to [VoIP communication means]. D1 and D2 do not show this element clearly. But such element appears to be known from D3 (see [0026]).

The subject matter of claim 4 and 13 and 22 do not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 4 and 13 and 22 relate to [ADSL gateway]. Such element appears to be known from D1 (see [0036] ) and D3 (see [0007], [0023] to [0024]).

The subject matter of claim 5 and 14 and 23 do not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 5 and 14 and 23 relate to [IP address obtaining means judges...whether the communication with the communication partner station through a VoIP transmission path is possible or not]. Such element appears to be known from D1 (see [0044]).

The subject matter of claim 6 and 15 and 24 do not involve an inventive step over D1, D2, D3 and D4 for the following reasons. Claim 6 and 15 and 24 relate to [control means obtains IP address by using UDP and transmit/receive the communication data by using TCP]. Such element appears to be known from D4 (see [0029] to [0048]).

## Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box No.V, item2

The subject matter of claim 7 and 16 and 25 do not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 7 and 16 and 25 relate to [data communication means for performing the data communication by using a data transmission/reception protocol which is not a VoIP procedure signal]. Such element appears to be known from D1 (see [0044]) and D3 (see [0026]).

The subject matter of claim 8 and 17 and 26 do not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 8 and 17 and 26 relate to [VoIP codec for converting an analog voice signal into a digital signal]. Such element is obvious if the communication means uses VoIP protocol.

The subject matter of claim 9 and 18 do not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 9 and 18 relate to [the communication partner station is a facsimile gateway]. Such element appears to be commonly known, because facsimile gateway is common as a communication partner station.

The subject matter of claim 27, 28 and 29 do not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 27, 28 and 29 relate to [a gateway apparatus including an IP communication means]. Such element appears to be known from D1 and D3, because generally, gateway apparatus is an apparatus which is used for converting one communication protocol to another. And D1 and D3 shows the element which can perform the same function.

The subject matter of claim 30 does not involve an inventive step over D1, D2 and D3 for the following reasons. Claim 30 relates to [a communication method]. And elements in this claim are almost the same of Claim 27.